

**2018-013148**

**Klamath County, Oregon**

10/29/2018 11:31:01 AM

Fee: \$102.00

**RECORDING COVER SHEET** *(Please Print or Type)*

This cover sheet was prepared by the person presenting the instrument for recording. The information on this sheet is a reflection of the attached instrument and was added for the purpose of meeting first page recording requirements in the State of Oregon, ORS 205.234, and does NOT affect the instrument.

*THIS SPACE RESERVED FOR USE BY  
THE COUNTY RECORDING OFFICE*

**AFTER RECORDING RETURN TO:**

MALCOLM CISNEROS

2112 Business Center Drive

Irvine, CA 92612

**1) TITLE(S) OF THE TRANSACTION(S)** ORS 205.234(a)

Release of Notice of Pendency of an Action

**2) DIRECT PARTY / GRANTOR(S)** ORS 205.125(1)(b) and 205.160

CIT Bank, N.A.

**3) INDIRECT PARTY / GRANTEE(S)** ORS 205.125(1)(a) and 205.160

Estate of Lulu B. Fox; Christina Wallachy; Yolanda Maher aka Yolanda Hagues; Unknown Heirs  
of Lulu B. Fox

**4) TRUE AND ACTUAL CONSIDERATION**

ORS 93.030(5) – Amount in dollars or other

\$ \_\_\_\_\_ ☐ Other

**5) SEND TAX STATEMENTS TO:**

Malcolm Cisneros, ALC

2112 Business Center Drive

Irvine, CA 92612

**6) SATISFACTION of ORDER or WARRANT**

ORS 205.125(1)(e)

CHECK ONE: ☐ FULL  
(If applicable) ☐ PARTIAL

**7) The amount of the monetary  
obligation imposed by the order  
or warrant.** ORS 205.125(1)(c)

\$ \_\_\_\_\_

**8) If this instrument is being Re-Recorded, complete the following statement, in  
accordance with ORS 205.244: “RERECORDED AT THE REQUEST OF \_\_\_\_\_**

**TO CORRECT \_\_\_\_\_**

PREVIOUSLY RECORDED IN BOOK \_\_\_\_\_ AND PAGE \_\_\_\_\_, OR AS FEE  
NUMBER \_\_\_\_\_.”

1 After Recording Return To:  
MALCOLM ♦ CISNEROS, A Law Corporation  
2 2112 Business Center Drive, Second Floor  
Irvine, California 92612

3 Mail Tax Statement to:  
MALCOLM ♦ CISNEROS, A Law Corporation  
4 2112 Business Center Drive, Second Floor  
Irvine, California 92612  
5 Consideration: \$206,440.61

6  
7  
8  
9  
10 **IN THE CIRCUIT COURT OF THE STATE OF OREGON**  
11 **FOR THE COUNTY OF KLAMATH**  
12

13 BANK OF AMERICA, N.A.,

14 Plaintiff,

15 vs.

16 ESTATE OF JOHN E. PARKS, an Estate;  
CORY WIRTZ, an heir; BRIAN  
17 MCDERMOTT, an heir; CODY PARKS, an  
heir; DONNA GAGLIARDI, an heir;  
18 WILLIAM MCDERMOTT, an heir;  
UNKNOWN HEIRS OF JOHN E. PARKS,  
19 unknown heirs; and all other persons, parties,  
or occupants unknown claiming any legal or  
20 equitable right, title, estate, lien, or interest in  
the real property described in the complaint  
21 herein, adverse to Plaintiff's title, or any cloud  
on Plaintiff's title to the Property.

22 Defendants.  
23  
24  
25

**CASE NUMBER: 16CV37011**

**RELEASE OF NOTICE OF PENDENCY OF  
AN ACTION**

26 NOTICE IS HEREBY GIVEN that, pursuant to ORS 93.740, the undersigned states that the  
27 above-entitled action concerning and affecting real property as described below was dismissed in the  
28 above-named Court by Bank of America, N.A., against ESTATE OF JOHN E. PARKS, CORY

1 WIRTZ, BRIAN MCDERMOTT, CODY PARKS, UNKNOWN HEIRS OF JOHN E. PARKS,  
2 DONNA GAGLIARDI and WILLIAM MCDERMOTT.

3 The action affected title to the real property situated in Klamath County, Oregon, commonly  
4 known as 11333 CHINQUAPIN DRIVE, CRESCENT LAKE, OREGON 97733 and legally  
5 described as follows:

6 **Exhibit "1" attached hereto.**

7 The Notice of Pendency of Action recorded in connection with the above-captioned action on  
8 or about November 15, 2016 in Klamath County, Recording No. 2016-012226 is hereby withdrawn.

9 DATED: October 29, 2018

Respectfully Submitted,

10 MALCOLM ♦ CISNEROS, A Law Corporation

11 By:

Nathan F. Smith, OSB #120112

Attorney for Plaintiff

12 MALCOLM ♦ CISNEROS, A Law Corporation

13 2112 Business Center Drive, Second Floor

14 Irvine, California 92612

15 Phone: (949) 252-9400

16 Fax: (949) 252-1032

17 Email: nathan@mclaw.org

18 A notary public or other office completing this  
19 certificate verifies only the identity of the  
20 individual who signed the document to which this  
21 certificate is attached, and not the truthfulness,  
accuracy, or validity of that document.

22 State of California

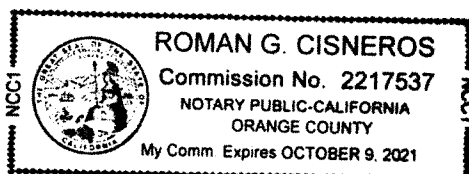
23 County of Orange

24 Subscribed and Sworn to (or affirmed) before me on this 29<sup>th</sup> day of October, 2018,  
25 by NATHAN F. SMITH, proved to me on the basis of satisfactory

(insert name of signer)

26 evidence to be the person(s) who appeared before me.

27 (Seal)



Signature

A handwritten signature in black ink, appearing to read "Roman G. Cisneros", written over a horizontal line.

# EXHIBIT 1

Lot 13 in Block 5 of Tract No. 1042, TWO RIVERS NORTH, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.